

# Official Minutes for Webb County Commissioners Court Meeting

Monday, April 10, 2006 at 1:00 PM  
and continuing Tuesday, April 11, 2006 at 1:00 PM  
(Approved 04-24-2006)

- Item No. 1      Call to order by Judge Louis H. Bruni  
Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 1:00 p.m. at the regular meeting place with the following members present to wit:

Louis H. Bruni	County Judge
Frank Sciaraffa	Commissioner, Pct. 1
Judith Gutierrez	Commissioner, Pct. 2
Jerry Garza	Commissioner, Pct. 3
Cindy Cortez-Brunner	Commissioner, Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 6<sup>th</sup> of April 2006. Present also were Ms. Nora Elia Prado, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

- Item No. 2      Roll Call – Margie Ramirez Ibarra, Webb County Clerk

- Item No. 3      Pledge of Allegiance – Led by All

- Item No. 4      Approval of minutes – March 27, 2006

Judge Bruni motioned to accept the minutes as presented. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 5      Approval of bills, payroll and monthly reports

Mr. Leo Flores, County Auditor, presented his monthly report ending March 31, 2006 which is the first half of the fiscal year. He stated that 71% of the fiscal year revenues have been collected and expenditures are currently at 44%. He stated that he will continue to monitor the revenues and expenditures. Judge Bruni stated that he was concerned about the rising costs for court appointed attorneys in both County Courts at Law. He stated that the Public Defenders Office is capable of representing many of the defendants that are currently being appointed private attorneys. He stated that this was a blatant misuse of taxpayers' monies. Cmr. Gutierrez stated that she shared Judge Bruni's concerns. She stated that over \$332,000 has been spent to date. Mr. Flores stated that County Court at Law No. 1 has spent \$93,900

while County Court at Law No. 2 has spent \$155,518. Mr. Leroy Medford, Public Defender, stated that his office has 15 attorneys, including himself, that are fully capable of handling these cases. He stated that this issue needs to be addressed to the Board of Judges. He stated that he has spoken with the judges but that some feel that his office lacks the manpower to handle these cases. He stated that he has three attorneys appointed to each misdemeanor court and that they are ready, willing and able to handle most cases. He stated that his office doesn't handle CPS, juvenile or mental health cases. He stated that under the Indigent Defense Act, his office is supposed to receive 75% of misdemeanor cases but that is not what is happening. Cmr. Sciaraffa stated that he has met with Mr. Medford and their case turnaround is great but that he was concerned about not being able to collect all the fees that are assessed. Mr. Homero Ramirez, County Attorney, recommended that the court send a letter regarding their concerns to the Board of Judges since they will be meeting on Thursday.

Cmr. Gutierrez motioned to accept the Auditor's Monthly report. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

#### Item No. 6      Communications

Cmr. Sciaraffa welcomed Rio Bravo mayor Juan Gonzalez and commissioners to the meeting.

Cmr. Cortez-Brunner reminded everyone that tomorrow was Election Day for the Primary Run-off elections.

Cmr. Sciaraffa motioned to move up Item No. 10. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

#### Item No. 10      Discussion and Possible Action on the TXDOT Border Colonias Access Program Rio Bravo Paving Project Phase I & II. Status Report on the paving and storm drainage improvements. [Co-sponsored by Commissioner Frank Sciaraffa]

Mr. Juan Gonzalez, Rio Bravo Mayor, was present to address the court. He stated that he has been advised that the paving project being administered by Webb County has been completed but that he did not feel it has been. He stated that storm drainage pipes in the Vela Tract were not placed and the paving was only done in half of the locations. He stated that this job by Gilbert Construction was not acceptable and much of the resurfacing material will be washed away in the next rain if the next layer is not placed. Mr. Tomas Rodriguez, County Engineer, stated that many of the pictures shown by Mr. Gonzalez show the streets before Webb County went in to clean and fix the roads. He stated that two funds were put together to be able to fix the eastern half of Rio Bravo for a total of \$3 million. He stated that they plan to go before the D.D. Hachar Foundation to request additional funding to be

able to resolve the drainage problems. Cmr. Sciaraffa stated that great strides have been made in Rio Bravo and El Cenizo but that the work done in El Cenizo is very different. Mr. Rodriguez stated that due to a 3-4 week delay in Rio Bravo by the City Inspector, some material became old and could only be used for patchwork and additional material needed to be purchased, which lowered the monies available to complete the work. He stated that another unexpected cost was the work permit required by Rio Bravo that was also taken from grant monies. Mr. Gonzalez stated that every contractor in Rio Bravo must pay a permit fee as per city ordinance since 1999. He stated that the job done was unacceptable. Cmr. Sciaraffa stated that the quality of work done in El Cenizo was better and wanted to be fair to Rio Bravo. Mr. Rodriguez stated that they will meet with the D.D. Hachar Foundation to seek additional funds for this project.

Item No. 7            Public Comment

Mr. Juan Gonzalez, Rio Bravo Mayor, addressed the court under Item No. 10.

Item No. 8            Status report on the acquisition of Botines Water Well and water distribution system and decertification of the Certificate of Convenience and Necessity by the City of Laredo, with discussion and possible action to direct staff as necessary to further the project, and any other matters incident thereto.

Mr. Tomas Rodriguez, County Engineer, stated that he has sent a letter to Mr. Larry Dovalina last week and is awaiting a response. He stated that if they are not given the authorization necessary, he will request that they decertify the well so that the county can obtain their own certification.

Item No. 9            Discussion and possible action to authorize the purchase of an I.D. system and other equipment as necessary, with an approximate total cost of Six-Thousand Dollars (\$6,000.00), for the Human Resources Department's use in issuing photo-I.D. cards to all county personnel, and any other matters incident thereto (funding source to be identified by the County Auditor).

Mr. Eloy Ramirez, Purchasing Agent, stated that they received a quote from a company in Houston that can provide a system similar to the one being used by the CAA's El Aguila Rural Transportation Program. He stated that it includes 1,500 ID cards and tags for a cost of approximately \$5,170.00.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 11      Discussion and possible action to award United Independent School District \$500.00 for Drug Intervention Kits. Funds will be taken from account #001-2100-03.

Cmr. Garza motioned to table Item No. 11. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 12      Discussion and possible action to provide two cell phones with 300 minutes each for the Buenos Aires Community Center Director and Center Coordinator.

Judge Bruni motioned to approve item as submitted. Cmr. Garza seconded the motion.

Cmr. Gutierrez recommended that a uniform cell phone policy be put in place for center coordinators and directors. Cmr. Garza stated that the current policy needed to be revisited and clarified. He stated that he would like to place an item for the next meeting to formalize the cell phone usage policy. Cmr. Gutierrez requested that action on this item be put on hold until the plan is formalized.

Cmr. Garza withdrew his second. Judge Bruni withdrew his motion.

Motion carried 5-0 by unanimous consent.

#### MEDIA BREAK (2:20 PM to 2:43 PM)

- Item No. 13      Discussion and possible action to approve the following refund for department 0700.

Refund due as follows:

Rose SPE 1LP, c/o Popp, Gray & Hutcheson, Attorneys at Law  
Four Barton Skyway, 1301 South Mopac, Suite 430, Austin, TX 78746  
Acct #902-30001-100

Reason: Reappraisal Value Adjustment as per District Court Judgment #2005-CVQ001200-D2 for 2001, 2003 & 2005

Total Refund \$5,584.11

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 14      Discussion and possible action to approve an application to the U.S. Department of Justice Office of Justice Programs Bulletproof Vest Partnership for the acquisition of bulletproof vests. The fifty (50%) percent match will be met through cash match funds already set aside in FY 2006 Webb County Budget.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 15      Discussion and possible action to enter into Third Party Funding Agreement as Follow:  
General Fund  
Laredo Heat Youth Soccer Club                      \$8,400.00  
and authorizing the County Judge to execute all relevant documents.

Mr. Homero Ramirez, County Attorney, stated that the correct funding source is Hotel/Motel Funds not General Fund.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 16      Discussion and possible action to set the process, procedure and timelines for the submission and evaluation of applications for the 2006-2007 Third Party Funding and any matters incident thereto.

Mr. Homero Ramirez, County Attorney, stated that the court needed to designate a contact person(s) and timeframe for the receipt of applications. He recommended an application acceptance timeframe of May 15 – 30, 2006.

Cmr. Gutierrez motioned to designate the County Attorney's Office as the contact person with the timeframe recommended. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 17      Discussion and possible action to enter into a field agreement with the Texas Wildlife Damage Management Program for a one (1) year period (January 1, 2006 to December 31, 2006) at a cost of \$2,200.00 TWO THOUSAND TWO HUNDRED per month for the protection of crops, livestock, wildlife through the control of predatory and problem wildlife and authorizing the County Judge to execute all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 18      Discussion and possible action to accept one (1) right of way, out of D-5 Acres Subdivision, one (1) right-of-way out of Ranchitos IV Los

Minerales Annex Subdivision, one (1) right-of-way out of Ranchitos Penitas West Subdivision, and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 19 Discussion and possible action to approve the following changes to our 2005-2006 Budget. Line-item transfer of \$2500.00 from account #001-1100-6402 [Repairs and Maintenance of equipment] to [Materials and Supplies] account #001-1100-6205.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 20 Discussion and Possible action to approve a line item transfer for the Bruni Community Center. There will be NO impact to the General Fund
- |       |                                |               |          |
|-------|--------------------------------|---------------|----------|
| From: | Repairs & Maintenance Building | 001-6108-6401 | \$700.00 |
| To:   | Administrative Travel          | 001-6103-5601 | \$700.00 |

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Cmr. Gutierrez stated that the correct account number should be 001-6103-6401 instead of 001-6108-6401.

Motion carried 5-0 by unanimous consent.

- Item No. 21 Discussion and possible action to approve payment of \$492.63 for disallowed assistance provided to clients to the Emergency Food and Shelter National Board for program phase # 22 which ran from January 21, 2004 through September 30, 2004. [Funds are to come from account # 001-0112-7200-08]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 22 Discussion and possible action to authorize the Webb County Community Action Agency to submit an application for the Texas Colonia Job Access Reverse Commute (JARC) grant to the Texas Department of Transportation in the amount of \$165,000 to be used to

purchase two buses to better meet the transportation needs of the residents of rural Webb County who may need transportation for employment interviews, training and/or employment and authorizing the County Judge to sign all relevant documents.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 23      Discussion and possible action to submit the El Aguila Rural Transportation Program's 5311 grant to Texas Review and Comment System (TRACS) for comment and review in the amount of \$240,596.00 (federal funds only) from Texas Department of Transportation.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 24      Discussion and possible action to enter into an agreement between the State of Texas acting through the Texas Department of Transportation and Webb County Community Action Agency for \$42,749.00 in federal grant funds through the VCR (Vehicle Capital Replacement) grant to be used for the purchase of a type III bus for El Aguila Rural Transportation Program and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 25      Discussion and Possible action to accept a check in the amount of \$2,500 from TXU Energy Retail Company. Webb County Community Action Agency will utilize these funds to help families that are in financial distress to meet energy related costs essential to their health and welfare.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 26      Discussion and possible action to fill slot # 1152 and 1853, Caseworker, regular/ full-time with benefits, for the Social Services program effective April 11, 2006. Funds are to come from account # 920-4200-5001.
- Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.
- Motion carried 5-0 by unanimous consent.
- Item No. 27      Discussion and possible action to fill slot # 1903 Center Aide part-time/ no benefits effective April 11, 2006. Funds are to come from account # 902-4200-5001.
- Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.
- Motion carried 5-0 by unanimous consent.
- Item No. 28      Discussion and possible action to authorize the filling of slot # 2239 (Housing Rehab Coordinator) at an annual salary of up to \$25,000 (Twenty-five Thousand dollars), effective April 11, 2006 (Account # 001-0104-5001) and Slot # 1912 (NI Coordinator) at an annual salary of up to \$25,000 (Twenty-five Thousand dollars) effective April 11, 2006 to be funded from various different grants.
- Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.
- Motion carried 5-0 by unanimous consent.
- Item No. 29      Discussion and Possible Action Authorizing Change Order No. 6 to Ramos Industries, Inc. in the amount of \$16,545.00, increasing the Contract price from \$1,410,617.50 to \$1,427,162.50 for the TWDB-EDAP Waste Water Collection System project on the north side of El Cenizo.
- Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.
- Motion carried 5-0 by unanimous consent.
- Item No. 30      Discussion and possible action to authorize the Webb County Juvenile Department, by Resolution and Order to submit a non-competitive grant application for Juvenile Accountability Block Grant (JABG) in the amount of (\$17,537) to State of Texas Office of the Governor Criminal



Justice Division, and authorizing the County Judge to execute all relevant documents to said grant, including the Grant Acceptance Notice [Requested by Juvenile Department].

Comr. Gutierrez motioned to approve item as submitted. Comr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 31      Discussion and Possible action to approve a line item transfer for the Larga Vista Community Center. There will be NO impact to the General Fund

From:	Repairs & Maintenance Vehicles	001-6103-6403	\$700.00
To:	Administrative Travel	001-6103-5601	\$700.00

Comr. Gutierrez motioned to approve item as submitted. Comr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 32      Discussion and possible action to purchase of the following equipment for the 341<sup>st</sup> Judicial District and the 111th Judicial District from account number 623-1003- 8801.

Equipment 341<sup>st</sup> :623-1003-8801

Qty.	Description	Vendor	Amount
1	Glass Top	Gateway Glass & Mirror Co.	\$205.00
14	Chair Cushions	Laura's Upholstery	\$670.00
2	Computers	Valcom Computer Center	\$1,600.00
4	Side Chairs	Patria Office Supply	\$900.00
1	Copier	Office Comm. System	\$9,942.50
2	Typewriters	Patria Office Supply	\$790.00
1	Scanner	Valcom Computer Center	\$249.00
2	Court Chairs	G & S Office Designs	\$1,242.40
1	Printer HP	Valcom Computer Center	\$170.00
		Sub-total	\$15,768.90

Mr. Eloy Ramirez, Purchasing Agent, stated that the item listing for the 111<sup>th</sup> Court was left out. He stated that the total for those items was \$13,967.50. He stated that the correct account number for both court purchases was 623-2200-8801, not 623-1003-8801.

Comr. Gutierrez motioned to approve item as submitted. Comr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 33      Discussion and possible action to dispose of surplus property pursuant to chapter d disposition of salvage or surplus property, section §

263.151 thru§ 263.158. One copier: canon laser model 900  
id#:f239702 zsp01372 tag # 14710.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

**Item No. 34      Discussion and possible action to direct the placement of the late William N. Hall Bust.**

Mr. Eloy Ramirez, Purchasing Agent, stated that they have received the bust and needed the court's direction as to where to place the bust. He stated that one possible location was the raised platform by the rotunda in the Administration Building.

Cmr. Gutierrez motioned to approve the placement as recommended. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

**Item No. 35      Discussion and possible action to purchase of fifteen (15) micro-fiber carrier plates in the amount of \$5,999.85 from the Gall's Inc. for the Webb County Sheriff's Department.**

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

**Item No. 36      Discussion and possible action to purchase the following equipment for the Sheriffs Department:**

QTY.	Description	Vendor	Amount
4 Each	Stretchers folding type with wheels	Armstrong med.	\$12,025.20
4 Each	Junking folding stretchers	Galls, Inc.	\$1,055.95
10 Boxes	Nitrile gloves	Bob Barker	\$735.68
2 Sets	Overalls	Sullivan Uniforms	\$114.40
200 Ea.	White sheets	Bob Barker	\$597.46
200 Ea.	Body bags eight handle	Emergency prep. service	\$6,490.00
200 Ea.	Body bags identification tags	Emergency prep. service	\$700.00
4 Ea.	Anti-purification mask	Sirchie	\$980.98
1 Box	Gel hand disinfectant	Bob Barker	\$60.00
1 Box	Bleach for cleaning of reefer's	Patria Office Supplies	\$12.00
		Sub-total	\$22,771.67

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 37      Discussion and possible action regarding Civil Action No. L-05-CV-0076; Luis Montes vs. Webb County, Texas and Cynthia Mares; In the United States District Court for the Southern District of Texas, Laredo Division. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)].

Mr. Homero Ramirez, County Attorney, recommended that this item be tabled.

Cmr. Gutierrez motioned to table Item No. 37. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to move into Executive Session. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

EXECUTIVE SESSION (3:00 PM to 3:22 PM)

Judge Bruni reconvened the meeting and stated that no action was taken while in Executive Session.

- Item No. 38      Discussion and possible action regarding Civil Action No. 2005-CVF-000092-D2 Paez vs. County of Webb; in the 111th District Court, Webb County Texas. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Mr. Homero Ramirez, County Attorney, stated that the item should read "County of Webb vs. Olga Paez." He recommended that no action be taken.

Cmr. Sciaraffa motioned to take no action on this item. Cmr. Gutierrez seconded the motion.

Motion carried 4-0 with Judge Bruni abstaining.

- Item No. 39      Adjournment

Cmr. Gutierrez motioned to adjourn the meeting. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.